IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE SIXTH DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION NO : 33161 of 1997

Between:

S.Krishna Rao S/o Rama Rao
Thungathurthi Village &Mandal, Nalgonda District.

..... PETITIONER

AND

1 The Superintending Engineer R&B Rural Circle,
Balkampet, Hyderabad.
2 The Superintending Engineer R&B National Highways
Erramanzil, Hyderabad.
3 The Superintending Engineer Panchayatraj Circle
Warangal.
4 The Superintending Engineer R&B Circle
Warangal.
5 The Superintending Engineer Panchayatraj Circle
Nalgonda.
6 The Superintending Engineer Public Health, West Circle
Barkathpura, Hyderabad.
7 The Superintending Engineer Irrigation Circle
Red Hills, Hyderabad.
8 The Superintending Engineer G.V.Gudem, S.L.B,C.Circle-I&II
Nalgonda. (Dismissed for default against R-8 as per Court Order dt. 7-9-2000 as against R8)
9 The Superintending Engineer G.V.Circle-IV
L.M.D.Colony, Karimnagar.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue order or direction more particularly in the nature of Writ of mandamus declaring

the action of the respondents is not issuing tender schedules on the ground non-production of tax clearance certified and arbitrary and violation of fundamental rights under article 19(1) g and consequently direct the respondents to issue tender schedules in all tender notices without insisting Commercial Tax Clearance certificates and experience certificate.

Counsel for the Petitioner: MR.KUNNAREDDY ANJI REDDY

Counsel for the Respondents: GP FOR ROADS & BUILDINGS

The Court made the following:

ORDER:

The writ petition is filed seeking a writ of Mandamus declaring the action of the respondents in not issuing tender schedules on the ground of non-production of tax clearance certificate or experience certificate as illegal and arbitrary.

On 11.12.1997, this Court while admitting the writ petition granted interim order directing the respondents to issue tender notice to the petitioner without insisting for production of Tax Clearance certificate or Experience certificate.

When the matter is taken up for hearing, there is no representation on behalf of the petitioner. Learned Government Pleader for Roads and Buildings appearing on behalf of the respondents submits that in view of the interim orders granted by this Court earlier, no further orders are required to be passed in the writ petition.

As the relief sought for in the main writ petition and the miscellaneous petition are one and the same, in which the interim direction is granted, nothing survives for adjudication in the writ petition.

Accordingly, the writ petition is dismissed as having become infructuous. No order as to costs.

06.04.2005

dr/tvk

To

1 The Superintending Engineer R&B Rural Circle,
Balkampet, Hyderabad.
2 The Superintending Engineer R&B National Highways
Erramanzil, Hyderabad.
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L.M.D.Colony, Karimnagar.

10 2 CCs to Government Pleader for Roads and Buildings,

High Court Buildings, Hyderabad. (OUT)

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